

**Resolution Agreement
Duval School District
OCR Docket Number 04-15-1231**

The Duval County School District (District) submits to the U.S. Department of Education, Office for Civil Rights (OCR), this Resolution Agreement (Agreement) to voluntarily resolve the above-referenced complaint and to ensure compliance with Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. § 794, and its implementing regulation, 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 (Title II), as amended, 42 U.S.C. §§ 12131 et seq., and its implementing regulation, 28 C.F.R. Part 35, which prohibits discrimination on the basis of disability by recipients of Federal financial assistance and public entities.

I. Equitable Application of Policy

The District agrees to provide OCR with an assurance that the District will apply its guardianship policies consistently and in a timely manner so as not to deprive parents/guardians of the right to participate in the education of their children.

II. Training

Section 504 Policy and Procedures

1. **By September 30, 2015**, the District will provide training to the District's Director of 504 programs, the School's Exceptional Student Education staff including its Section 504 Coordinator Designee on the District's Section 504 policy and procedures with emphasis on when additional documentation (i.e. medical statements) is required and not required for the evaluation and placement of students who need or are believed to need special education and related aids and services under Section 504.

Retaliation

2. **By September 30, 2015**, the District will initiate annual mandatory in-service training of all staff in the School on the prohibition of retaliation under Section 504.

Guardianship Policy and Procedures

3. **By September 30 2015**, the District and/or [Duval Charter School at Baymeadows \(School\)](#)¹ will provide training to School staff regarding its guardianship policy to ensure that School personnel are familiar with the requirements used to establish guardianship and to ensure that the policies are applied consistently.

¹ [Duval Charter School at Baymeadows, a charter school owned and operated by Renaissance Charter School, Inc., pursuant to a July 1, 2011 charter school contract with the Duval County School Board.](#)

REPORTING REQUIREMENT:

By October 31, 2015, the District will provide OCR with a report confirming the completion of the training required under Section II Corrective Action 1, 2 and 3 above. The report will include: (i) the date of each training session; (ii) a list of names and titles of the persons who participated, (iii) outline of training content.

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of this agreement. Further, the District understands that during the monitoring of this Agreement, if necessary, OCR may visit the District, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the District has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504 at 34 C.F.R. §104.33 (a) and (b) and Section 504 at 34 C.F.R. §104.35 (c)(1), and Title II at 28 C.F.R. §35.130 and Section 504 at 34 C.F.R. § 104.61 and Title II at 28 C.F.R. § 35.134

The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the recipient has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504 at 34 C.F.R §104.33 (a) and (b) and Section 504 at 34 C.F.R. §104.35 (c)(1)Title II implementing regulation at 28 C.F.R. §35.130 and Section 504 at 34 C.F.R. § 104.61 and Title II at 28 C.F.R. § 35.134 .

The District understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce this Agreement, OCR shall give the District written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

This Agreement will become effective immediately upon the signature of the District's representative below.

Superintendent or Designee

Date